

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

DIAMONDHEAD CASINO CORPORATION,  
  
Debtor.

Chapter 7

Case No. 24-11354 (JKS)

DIAMONDHEAD CASINO CORPORATION,  
Appellant,

v.

EDSON ARNEAULT, et al.,  
  
Appellees.

Case No.. 1:25-cv-1018-MN

EUROPA CRUISES CORPORATION STOCK  
OWNERSHIP PLAN,

Appellant,

v.

EDSON ARNEAULT, et al.,  
  
Appellees.

Case No. 1:25-cv-1021-MN

DEBORAH A. VITALE

Appellant,

v.

EDSON ARNEAULT, et al.,  
  
Appellees.

Case No. 1:25-cv-1022-MN

**PETITIONING CREDITORS' DESIGNATION OF  
ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Edson Arneault, Kathleen and James Devlin, J. Steven Emerson, Emerson Partners, J. Steven Emerson as Successor to the J. Steven Emerson Roth IRA, John Hawley as Servicing Agent for Argonaut 2000 Partners, L.P., Steven Rothstein, Barry and Irene Stark ("Petitioning Creditors"), pursuant to Federal Rule of Bankruptcy Procedure 8009 and Local Rule of Bankruptcy Procedure 8009-1, hereby submits this Designation of Additional Items to be Included in the Record on Appeal in the above-captioned appeal from the United State Bankruptcy Court for the District of Delaware.

**DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

	<b>Bankr. D.I.</b>	<b>Date Filed</b>	<b>Title of Document</b>
1	77	8/28/25	Omnibus Objection of Petitioning Creditors to: (A) Motion of "Alleged Debtor", Diamondhead Casino Corporation, to Vacate the Court's Opinion and Order Dated July 30, 2025 and Order dated July, 2025 and Dismiss the Involuntary Petition or, Alternatively, to Alter and Amend the Opinion and Orders [D.I. 63]; (B) Motion of the "Alleged Debtor", Diamondhead Casino Corporation for a Stay of the Court's Opinion [D.I. 42] and Order [D.I. 45] Dated July 31, 2025, Pending Resolution of the Appeal [D.I. 47]; (C) Motion of Deborah A. Vitale for Leave to Intervene and be Heard in the Above Captioned Case and Joinders to "Alleged Debtor" Diamondhead Casino Corporation's Motion to Vacate/Dismiss and Motion for Stay Pending Appeal [D.I. 55]
2	89	9/4/25	Order Denying Motions Filed at D.I. Nos. 47, 55 and 63
3	92	9/9/25	Transcript of September 3, 2025 Hearing

**Certain Exhibits Admitted into Evidence at Trial Held on  
December 4, 2024 and January 16, 2025**

<b>Attachment</b>	<b>Trial Exhibit #</b>	<b>Docket Ref. (if applicable)</b>	<b>Date</b>	<b>Description</b>
A	29	16	9/30/23 and 12/31/23	Diamondhead Form 10-Q Pages 1, 25-26 and DHCC Form 10-K
B	30	17	3/31/24	Diamondhead Form 10-Q
C	32		9/30/24	Diamondhead Form 10-Q
D	33		5/16/22	Land Deed of Trust (Tasselli)
E	53		9/20/23	Consent Judgment

**ARMSTRONG TEASDALE LLP**

/s/ Jonathan M. Stemerman

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*Counsel to Petitioning Creditors*

Dated: September 9, 2025  
Wilmington, Delaware